

EXHIBIT “22”

Deposition Transcript of Alex Gorsky taken on May 13, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH S. AUTERI, M.D. : No. 22-cv-03384
Plaintiff, :
 :
vs. :
 :
VIA AFFILIATES, d/b/a : JURY TRIAL
DOYLESTOWN HEALTH : DEMANDED
PHYSICIANS :
Defendant. :

- - -
Tuesday, May 13, 2025
- - -

Deposition of ALEX GORSKY, taken
pursuant to notice, via videoconference,
before Michele L. Murphy, a Registered
Professional Reporter and Notary Public, on
the above date, beginning at approximately
10:01 a.m.

- - -

1 relationship outside of the hospital with
2 him.

3 Q. Okay. So either you or Mr. Brexler
4 both thought that maybe you could convince
5 Dr. Auteri to take the vaccine because of
6 your relationship with Dr. Auteri, correct?

7 MR. DURHAM: Objection.

8 THE WITNESS: I don't think it
9 was a matter of convincing Joe. I think,
10 you know, Joe is obviously a trained
11 physician that would need to make his own
12 decision. I think it was a matter of
13 seeing if there was any other additional
14 information or data that I could provide
15 that might be helpful to him in his
16 decision.

17 BY MS. RUSSELL:

18 Q. What other information or data did
19 you give Dr. Auteri on the call?

20 A. Again, I don't remember specifically
21 what we talked about regarding the --
22 probably the vaccine but just what we were
23 seeing with COVID at that time.

24 Again, these were very different
25 times, and people were quite fearful.

1 Q. Is it fair to say that if Dr. Auteri
2 had taken the vax, you would consider that to
3 be for the good of the heart program and that
4 was part of why you were willing to talk to
5 Dr. Auteri?

6 MR. DURHAM: Objection.

7 THE WITNESS: I think it would
8 have been for the good of the hospital
9 and the community more broadly.

10 BY MS. RUSSELL:

11 Q. How so?

12 A. Just as I said, so that the hospital
13 was trying to do I feel what was in the best
14 interest of the community, patients, and the
15 staff at that time, and as he made his
16 decision, I just wanted to make sure he had
17 as much information and data as possible so
18 that he could do it from the best informed
19 basis.

20 Q. Are you aware that Dr. Auteri had
21 requested a religious exemption and
22 corresponding accommodations from his
23 employer the day before you spoke with him?

24 MR. DURHAM: Objection.

25 THE WITNESS: I was not aware

1 of all of his negotiations or discussions
2 back and forth with the hospital.

3 BY MS. RUSSELL:

4 Q. So Mr. Brexler didn't tell you that
5 before you called Dr. Auteri?

6 A. Again, at a high level, I just
7 remember Jim expressing that Joe had some
8 concerns. The ones I remember most relate
9 to -- related to this either again
10 pre-dispositive test or incidents of COVID,
11 and some discussions I note he obviously had
12 some issues philosophically related to it,
13 but that's all I remember.

14 Q. Did you discuss at all the fact that
15 Dr. Auteri had made a request for a religious
16 exemption and corresponding accommodations
17 from the Doylestown Health mandate before you
18 spoke with Dr. Auteri?

19 A. I don't remember that, no.

20 Q. By the time that you concluded your
21 call with Dr. Auteri, did you have an
22 understanding one way or another as to
23 whether Dr. Auteri was in fact going to take
24 the COVID-19 vaccine?

25 A. Again, from what I remember, I felt

1 that there was still uncertainty whether he
2 would or not.

3 Q. Did you come out and ask him?

4 A. I don't remember. I think we went
5 back and forth, but it was not my -- I didn't
6 see it as my objective, as I remember, to
7 come to a specific issue. Again, it was to
8 make sure that he had as much information as
9 possible to make his decision.

10 Q. So you said there was some
11 uncertainty by the end of your call about
12 what Dr. Auteri would do, but how long was
13 your call?

14 A. I don't remember exactly.

15 Q. After you had the call with
16 Dr. Auteri, did you go to any researchers at
17 Johnson & Johnson and say in words or
18 substance, hey, there's some uncertainty as
19 to whether Dr. Auteri is going to take this,
20 what could we do to accommodate Dr. Auteri if
21 he won't take it? Did you do that in form or
22 in substance?

23 MR. DURHAM: Objection.

24 THE WITNESS: No, not that I
25 remember.

1 (Court Reporter read back as
2 follows: "After you had the call with
3 Dr. Auteri, did you go to any researchers
4 at Johnson & Johnson and say in words or
5 substance, hey, there's some uncertainty
6 as to whether Dr. Auteri is going to take
7 this, what could we do to accommodate
8 Dr. Auteri if he won't take it? Did you
9 do that in form or in substance?"

10 Answer: "No, not that I
11 remember.")

12 BY MS. RUSSELL:

13 Q. So after this discussion, did you,
14 Mr. Gorsky, undertake any investigation,
15 whether with Johnson & Johnson or otherwise,
16 as to how Dr. Auteri could be accommodated if
17 he still was not going to take the vaccine?

18 MR. DURHAM: Objection.

19 THE WITNESS: No.

20 BY MS. RUSSELL:

21 Q. Did you offer to have Dr. Auteri
22 talk to any researchers at Johnson & Johnson
23 as to how Dr. Auteri's request for a
24 religious exemption could be accommodated?

25 MR. DURHAM: Objection, lacks

1 foundation, among other things.

2 THE WITNESS: No. I think if I
3 would have extended an offer to speak
4 with anyone, it was to give factual
5 information about the vaccines, not
6 regarding anything having to do with a
7 hospital policy or exemptions. Again,
8 quite consistent with my earlier
9 statements, it would have had to do with
10 the data, the information regarding the
11 vaccines themselves, and the broader
12 impact on individuals, the community,
13 caregivers, public health policy.

14 BY MS. RUSSELL:

15 Q. Well, Mr. Gorsky, as I told you
16 earlier, Dr. Auteri did request a religious
17 exemption to the vaccine, the Doylestown
18 Health mandate, the day before you spoke with
19 him, and you've testified that you were
20 uncertain as to what Dr. Auteri was going to
21 do by the end of your phone call. So my
22 question is, what, if anything, did you do to
23 help facilitate an accommodation should
24 Dr. Auteri still decide not to take the
25 COVID-19 vaccine? Did --